

EXHIBIT 8

Correspondences with Faris Dixon



Subject: Death of Keisha White
Date: July 23, 2021 at 2:09 PM EDT
From: avens1@charter.net<avens1@charter.net>
To: Faris.C.Dixon@nccourts.org

Hi Attorney Dixon

Two years ago you told me that no crime had been committed against my daughter, Keisha White, who died in restraints from lack of oxygen at Vidant. Can you please provide a list of the documents you reviewed? Can you also let me know if you will do this and what kind of time frame I can expect if you do? Thank you.

Cynthia Avens

Subject: Ms. Keisha White
Date: July 26, 2021 at 1:57 PM EDT
From: Dixon, Faris C.<Faris.C.Dixon@nccourts.org>
To: avens1@charter.net
Cc: Jennifer.J.Corbitt@nccourts.org

Cynthia Avens

Good afternoon Mrs. Avens. I hope this email finds you well.

My recollection is that the previous administration had Assistant District Attorney A. Futrell review the records and made a determination that a crime could not be charged. Mr. Futrell then turned them over to the Elected District Attorney Kimberly Robb who reviewed them. It is Mr. Futrell's recollection that Mrs. Robb discussed having the records reviewed by a pathologist separate from Vidant Hospital. After her review, Mrs. Robb came to the same conclusion that no charges could be filed. Shortly after I came into office you requested the records be reviewed again. I subsequently reviewed those records and determined that charges could not be filed.

If you had a civil attorney retained to assist you with this matter, he or she would have a complete copy of what we have. If not, I would direct you to the medical records department at Vidant Medical Center.

Respectfully,

Faris Dixon

District Attorney



Faris C. Dixon, Jr.

District Attorney
Prosecutorial District 3

North Carolina Judicial Branch

O 252-695-7200

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FARIS C. DIXON JR.
DISTRICT ATTORNEY
PROSECUTORIAL DISTRICT 3

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February 14, 2022

Cynthia Avens
303 Riverside Trail
Roanoke Rapids, NC 27870

RE: Keisha White

Dear Ms. Avens:

Thank you for sharing your concerns with my office surrounding the death of your daughter in 2015. I recognize that this case is important to you. I want to assure you that my office has carefully reviewed and evaluated this case when determining what, if any, action could be taken.

Please understand that our review of this case took significant time and we contacted you via mail on October 24, 2019 advising our findings. I recognize that it is difficult to wade through periods of delay and uncertainty, especially in a case of this nature. However, we are committed to providing a thorough and considered answer to your concerns. As per your request, we will be sending you a list of evidence that we were provided and used to determine that there was no criminal liability in this matter. We ask for your patience during this process but assure you that you will be sent the requested information soon.

Thank you again for your patience and understanding this matter.

Sincerely,

Faris C. Dixon, Jr.

Faris C. Dixon, Jr.
District Attorney



FARIS C. DIXON JR.
DISTRICT ATTORNEY
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March 14, 2022

Cynthia Avens
303 Riverside Trail
Roanoke Rapids, NC 27870

RE: Keisha White

Dear Ms. Avens:

I hope this letter finds you well. As you are aware, our office has reviewed this matter many times. The death certificate listed the manner of death as being natural and as you know, there was no autopsy performed. After a review by the Pitt County Medical Examiner, a request for record review was made and the North Carolina Department of Health and Human Services Chief Medical Examiner Deborah Radisch, MD, MPH reviewed the requested records, agreeing with the previous findings. At that time, Dr. Radisch indicated that an exhumation and autopsy would not result in any further information.

Special Agent Matherly, North Carolina State Bureau of Investigation, also reviewed the records and conducted an investigation. Agent Matherly also reached the conclusion that there was no foul play and no intent to kill Ms. White. Former Greenville Police Chief Hassan Aiden began this investigation and current Chief Mark Holtzman followed up, reviewing it more recently upon request. Subsequently, both Chiefs reached the conclusion that no criminal culpability can be determined in this matter.

As you and Mr. Dixon discussed during your phone call, the Pitt County District Attorney's Office has continued to investigate all allegations and information surrounding the death of your daughter. Below you will find a list of the records reviewed on numerous occasions.

Vidant Medical

- 4/17/14 (flowsheet data)
- 4/18/14- 4/25/14 (Medical record)
- 4/26/14- 5/1/14 (Medical record)
- 4/20/14 (H&P notes)
- 5/8/14 (Flowsheet data)
- 5/9/14 (MD Progress notes, Flowsheet data, Nursing notes, medical record)
- 5/10/14 (Flowsheet data & Discharge summary)
- 5/11/14 (Flowsheet data)

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- 5/11/14 (Flowsheet data)
- 4/17/14-5/10/14: All meds & Administrations
- 4/17/14- 5/11/14: All lab results
- 4/20/14 (Monitor technician)
- 5/12/14 (Hospital restraint/ Seclusion death report)
- 4/16/11-5/12/14 (Orders)
- 5/11/14- (Death notification & body release form)
- Patient education
- 4/20/14- 5/8/14 – (Records)
- Sheri Christin Fearing admitted to Walter B Jones on 9/30/14
- Estate of Keisha White
- 4/17/14-5/1/14- Consults
- 4/18/14-5/8/14- MD progress notes
- 4/17/14- 5/10/14- Radiology Results
- 4/17/14-05/02/14 – Other progress notes
- Care plan event log
- 4/17/14- 5/8/14- Nurse progress notes
- Physician's order
- 10/1/14 (Department of Health and Human Services)

As stated before, our review of this case took significant time and we contacted you via mail on October 24, 2019, advising our findings. I recognize that it is difficult to wade through periods of delay and uncertainty, especially in a case of this nature.

Should you feel you have new pertinent evidence, that evidence would need to be directed to the Greenville Police Department for investigation.

Thank you again for your patience and understanding this matter.

Sincerely,

Jennifer J. Corbitt

Jennifer J. Corbitt
Administrative Assistant
Pitt County District Attorney



FARIS C. DIXON JR.
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March 6, 2024

Cynthia Avens
303 Riverside Trail
Roanoke Rapids, NC 27870

Dear Ms. Avens:

We are in receipt of the submission by Donald Jason, MD, JD. Thank you for the information.

Ms. White passed during the administration of District Attorney Kimberly Robb in 2014. The matter was referred to law enforcement well after the incident. Greenville Police Department and the North Carolina State Bureau of Investigation conducted a concurrent inquiry. Both agency's findings were subsequently turned over to the Pitt County District Attorney's Office. Assistant District Attorney A. Futrell was tasked with reviewing the information. It was his determination that charges should not be filed at that time. District Attorney Robb referred the matter to the Chief Medical Examiner in Raleigh. After speaking with the Chief Medical Examiner, District Attorney Robb agreed with the previous conclusion of ADA Futrell.

Per your request in 2019, after I was elected as District Attorney, I had Mr. Futrell review the matter again. After considering all the information available to him, he again concluded that there was insufficient evidence to charge. After ADA Futrell reviewed all documents at my direction, you requested that I review said documents. I personally reviewed the material. After reviewing voluminous documents, I agreed with DA Robb and ADA Futrell's assessment.

As you are aware, the case documents, including the medical records, have been reviewed numerous times both by members of the Pitt County District Attorney's Office, before and after my election. On January 24, 2024, the Greenville Police Department and Pitt County District Attorney's Office received the submission from Donald Jason, MD, JD. Upon receiving the report from Dr. Jason, Greenville Police Department conducted their own reassessment. Likewise, the Pitt County District Attorney's Office has independently conducted a reassessment considering all available information. It is the conclusion of the Pitt County District Attorney's Office that it is inappropriate to file criminal charges.

While I empathize with the loss of your daughter, Keisha, there is insufficient evidence to proceed with criminal charges. This concludes our review.

Respectfully,

Faris Dixon
District Attorney

Cc: Donald Phillip, Assistant Greenville City Attorney, Greenville Police Department

